

MINUTES

REGULAR MEETING OF THE CITY COUNCIL

CITY OF MEMPHIS

December 20, 2005

3:30 P.M. SCHEDULED SESSION

4:17 P.M. MEETING COMMENCED

ROLL CALL: Dedrick Brittenum, Joe Brown, Carol Chumney, Barbara Swearengen Holt, E. C. Jones, Myron Lowery, Tom Marshall, Scott McCormick, TaJuan Stout Mitchell, Rickey Peete, Jack Sammons, Brent Taylor and Chairman Edmund Ford

**THE MEETING WAS CALLED TO ORDER
BY THE SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Evangelist Pearlie Jenkins from Holy City Church of God In Christ. Councilwoman Holt presented Evangelist Jenkins with a certificate naming her Chaplain of the day.

The original of the ordinances, resolutions and documents relating to each item is filed in the office of Council Records and on microfilm in the office of Records Management, Room 2B-08. The original documents shall control in the event of any conflict between the description in these minutes and the original documents.

32.

ORDINANCE AMENDING SECTION 29, SIGNS AND SECTION 30, NONCONFORMITIES, UP FOR T H I R D AND F I N A L READING. (Held from 10/25; 11/1;11/15;12/06)
- Ordinance No. 5136
Case No. ZTA 05-001cc

Held to January 3, 2006

49.

RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE SOUTH SIDE OF DOROTHY PLACE; ± 70 FEET WEST OF BELLEVUE BLVD., CONTAINING 7,492 SQUARE FEET IN THE SINGLE FAMILY RESIDENTIAL (RS-6) DISTRICT. (Held from 12/6)
- Case No. UV 05-07

Held to January 3, 2006

38.

RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF POPLAR AVENUE AND REDDOCH STREET, CONTAINING 0.74 ACRE IN THE SINGLE FAMILY RESIDENTIAL (R-S10) DISTRICT.
- Case No. PD 05-362
(Companion Case SAC 05-618)

Held to February 7, 2006

46.

RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON REDDOCH STREET, A SEGMENT EXTENDING NORTHWARD ±140 FEET FROM POPLAR AVENUE, CONTAINING 2,651 SQUARE FEET IN THE SINGLE-FAMILY RESIDENTIAL (R-S10) DISTRICT AND 1,933 SQUARE FEET IN THE MULTI-FAMILY RESIDENTIAL (R-MM) DISTRICT.
- Case No. SAC 05-618

(Companion Case: PD 05-362)

Held to February 7, 2006

42. **RESOLUTION APPROVING A SUBDIVISION LOCATED ON THE NORTH SIDE OF MONTEREY ROAD; BEGINNING 3,174 FEET WEST OF REED HOOKER ROAD, CONTAINING 41.47 ACRES IN AGRICULTURAL (AG) AND AGRICULTURAL (AG[FP]) DISTRICT.**

Case No. S 05-059cc

Applicant: Jerry McNeely Ellis
ETI Corporation – Ralph Smith – Representative

Request: Appeal to overturn Condition #1 requiring the installation of Dry Sanitary Sewer Lines, pertaining to the Land Use Control Board’s approval of a 15 Lot Preliminary Plat and dedication of Walnut Grove Road

LUCB recommendation: APPROVAL, subject to 4 variances, 16 conditions and 3 design changes

OPD recommendation: APPROVAL, subject to 3 variances, 17 conditions and 3 design changes

WITHDRAWN

29. **RESOLUTION HONORING “THE 2005 MISS TENNESSEE”, AMY LINDBERG.**

MOTION: Jones
SECOND: McCormick

APPROVED, by unanimous voice vote

56. **RESOLUTION APPROVING BUDGETS OF THE ELECTRIC, GAS AND WATER DIVISION FOR 2006 OPERATION AND MAINTENANCE EXPENSES AND CAPITAL EXPENDITURES.**

MOTION: Brown
SECOND: Brown, Holt, Brittenum, Jones, Lowery, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford
NAYS: Chumney
Marshall did not cast a vote

APPROVED

44. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE SOUTH SIDE OF VINTON AVENUE; +/-188 FEET WEST OF ROZELLE STREET, CONTAINING 1,587.5 SQUARE FEET (AREA OF R.O.W.) AND 12’ X 127’(LENGTH X WIDTH OF R.O.W.) IN THE STREET/ALLEY ~ SINGLE FAMILY RESIDENTIAL (R-S8) HISTORIC CONSERVATION (HC) DISTRICT.**

Case No. SAC 05-615

Chairman Ford recognized the following persons from the audience:

Tim Bolding, 1621 Vinton Ave., Mphs, TN 38104
James Comella, 3244 Pointe Hill Cove, Mphs, TN 38125
Keith Keys, 1648 Vinton Ave., Mphs, TN 38104
Melissa Lewis, 1629 Vinton Ave., Mphs, TN 38104
Kenneth Moffett, 1614 Harbert, Mphs, TN 38104
George Newton, 1644 Harbert, Mphs, TN 38104

Applicant: James A. & Patricia T. Comella

Request: Close & Vacate Alley Street Right-Of-Way

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

MOTION: Peete

SECOND: Holt

AYES: Brittenum, Marshall, McCormick, Peete, Sammons, Taylor and Chairman Ford

NAYS: Brown, Chumney, Holt, Jones, Lowery, Mitchell

APPROVED

ITEMS 34, 37 & 48 WERE CALLED TOGETHER BY THE COMPTROLLER, BUT SEPARATE VOTES WERE TAKEN:

37. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF NONCONNAH PARKWAY AND RIDGEWAY ROAD, CONTAINING 15.22 ACRES IN THE AREA B OF THE RIDGEWAY NONCONNAH CENTER PLANNED DEVELOPMENT.**

Case No. PD 05-357
(Companion Cases: Z 05-125 & SUP 05-219)

Applicant: Acheson Properties LLC
Prime Development Group (Mike Fahy) – Representative

Request: Delete Area B from the Planned Development

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Brown

AYES: Brown, Holt, Jones, Lowery, Marshall, Mitchell, Peete, Taylor and Chairman Ford

NAYS: Chumney, McCormick and Sammons
Brittenum abstained

APPROVED

34. **ORDINANCE REZONING THE NORTHWEST CORNER OF NONCONNAH PARKWAY AND RIDGEWAY ROAD, CONTAINING 15.22 ACRES IN AREA B OF THE RIDGEWAY-NONCONNAH PARKWAY CENTER PLANNED DEVELOPMENT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5142
Case No. Z 05-125
(Companion Cases: SUP 05-219 & PD 05-357)

Applicant: Acheson Properties
Prime Development (Mike Fahy) – Representative

Request: Planned Commercial (C-P) District

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Brown

AYES: Brown, Holt, Jones, Lowery, Marshall, Mitchell, Peete, Taylor and Chairman Ford

NAYS: Chumney, McCormick and Sammons
Brittenum abstained

APPROVED, as amended in Committee

48. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHWEST CORNER OF NONCONNAH PARKWAY AND RIDGEWAY ROAD, CONTAINING 15.22 ACRES IN THE PLANNED COMMERCIAL (C-P) DISTRICT.**
Case No. SUP 05-219
(Companion Cases: Z 05-125 & PD 05-357)

Chairman Ford recognized the following person from the audience:

Phillip Cox, 6011 Southampton, Mphs, TN 38119

Applicant: Acheson Properties LLC
Prime Development Group (Mike Fahy) – Representative

Request: Motor Vehicle Sales

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete
SECOND: Brown
AYES: Brown, Holt, Jones, Lowery, Marshall, Mitchell, Peete, Taylor and Chairman Ford
NAYS: Chumney, McCormick and Sammons
Brittenum abstained

APPROVED, as amended in Committee

55. **RESOLUTION EXTENDING THE REVERTER FOR COURT SQUARE.**

MOTION: Holt
SECOND: Brown
AYES: Brown, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Taylor and Chairman Ford
NAYS: Chumney
Sammons did not cast a vote

APPROVED

58. **RESOLUTION APPROVING A MORATORIUM ON COMPENSATED DANCE PERMITS FOR ADULT ENTERTAINMENT BUSINESSES EFFECTIVE DECEMBER 20, 2005 THRU JULY 25, 2006.**

MOTION: Peete
SECOND: Holt
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

35. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTHEAST CORNER OF PRESCOTT ROAD AND RHODES AVENUE, CONTAINING 5.80 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**
Case No. SUP 05-215

Applicant: Sprint Nextel
Charles Perkins – Representative

Request: Cellular Tower a maximum of 150 feet in height

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Peete

SECOND: Brown

AYES: Brown, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford
Chumney abstained

APPROVED

30. **APPOINTMENTS**

Memphis Housing Authority Board

Appointment

Ian L. Randolph

Re-appointments

William E. Stemmler

Ricky E. Wilkins

MOTION: Marshall – Mr. Wilkins term is for 1 year term

SECOND: Brown

AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

54. **APPOINTMENTS**

Memphis Housing Authority Board

Reappointment

Dr. Elma Mardis – Mrs. Mardis term is for 1 year term

MOTION: Marshall

SECOND: Jones

AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

45. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON THE EAST SIDE OF COCHRAN STREET; +/-190 FEET NORTH OF POPLAR AVENUE, CONTAINING 2,100 SQUARE FEET IN THE MULTIPLE FAMILY RESIDENTIAL (R-MM) DISTRICT.**

Case No. SAC 05-616

Applicant: Harold E. Buehler, Sr.

Request: Close and Vacate Alley Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Jones

AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

39. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHEAST CORNER OF E. CAROLINA AVENUE AND FLORIDA STREET, CONTAINING 3.67 ACRES IN THE BLUFFVIEW RESIDENTIAL (R-B) DISTRICT.**

Case No. PD 05-363

Applicant: Southland Dev. Partners of Memphis
W.H. Porter Consultants, PLLC – Representative

Request: A planned development to create a residential development with 57 townhouse units

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete

SECOND: Brown

AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

41. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE SOUTHWEST CORNER OF WALNUT GROVE ROAD AND HOUSTON LEVEE ROAD, CONTAINING 35 ACRES AND IS CURRENTLY GOVERNED BY THE CONDITIONS OF THE WALNUT GROVE SOUTHEAST PLANNED DEVELOPMENT, P.D. 01-333CC (PLAT BOOK 196, PAGE 97).**

Case No. PD 05-365cc

Applicant: TLW Joint Venture
The Reaves Firm, Inc. – Representative

Request: A planned development amendment to delete Condition I.A.13 from the list of excluded uses in Area “A” in order to permit a department or discount store to be located on this site

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Brown

SECOND: Holt

AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

36. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF COWDEN AVENUE AND GREER STREET, CONTAINING 0.26 ACRE IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. PD 05-347

Applicant: Jennifer Angel
SR Consulting (Cindy Reaves) – Representative

Request: Add a Second Residential Dwelling

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: Hold for Details

MOTION: Peete
SECOND: Brown
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick,
 Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED, as amended in Committee

33. **ORDINANCE REZONING THE SOUTH SIDE OF WALNUT GROVE ROAD, 480 FEET WEST OF HUMPHREYS BOULEVARD, CONTAINING 1.78 ACRES IN THE AGRICULTURAL (AG) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5141
Case No. Z 05-123

Applicant: Baptist Memorial Healthcare Systems
 ETI Corporation – Representative

Request: Hospital (H) District

LUCB and OPD recommendation: APPROVAL

MOTION: Peete
SECOND: Jones
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick,
 Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

40. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH AND SOUTH SIDE OF LARKIN AVE.; BETWEEN CLAYBROOK ST. AND CLEVELAND ST., CONTAINING 3.53 ACRES IN THE SINGLE FAMILY RESIDENTIAL HISTORICAL CONSERVATION (R-S6[HC]), LOCAL COMMERCIAL (C-H), LIGHT INDUSTRIAL (I-L) AND PARKING (P) DISTRICTS.**

Case No. PD 05-364

Applicant: Audubon Development Co., LLC
 Davis Engineering Co., Inc. – Representative

Request: A planned development to create a mixed use residential development consisting of 13 single family detached lots and 17 attached townhouses

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete
SECOND: Brown
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick,
 Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

43. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE BEGINNING ON THE NORTH SIDE OF CLEMENTINE ROAD AT ITS WESTERN TERMINUS AND PROCEEDING NORTHERLY 386.78 FEET THEREFROM, CONTAINING 0.355 ACRE IN THE DUPLEX RESIDENTIAL (R-D) AND MULTIPLE DWELLING RESIDENTIAL (R-ML) DISTRICTS.**

Case No. SAC 05-614

Applicant: ProUnited Realtors, LLC
 Brunell Gooden – Representative

Request: Close & Vacate Unimproved Street right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete
SECOND: Brown
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

47. **RESOLUTION APPROVING A SOUTH CENTRAL BUSINESS IMPROVEMENT DISTRICT HOTEL LOCATED ON THE EAST SIDE OF SOUTH SECOND STREET, 240 FEET SOUTH OF VANCE AVENUE.**

Case No. SCBID 05-14

Appellant: Christine Wimbish-Diatta

Request: Approval of Microtel Inn & Suites Hotel

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Peete
SECOND: Holt
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

51. **RESOLUTION APPROVING A HOTEL WAIVER FOR THE MOTEL 6, LOCATED AT 1117 E. BROOKS ROAD, MEMPHIS, TN. 38116.**

MOTION: Peete
SECOND: Holt
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

52. **RESOLUTION TO ENCOURAGE GOOD FAITH COLLECTIVE BARGAINING.**

MOTION: Peete
SECOND: Brown
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, Marshall, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 20, 2005 for Items 55, 56, & 58 with the following motion:

MOTION: Holt
SECOND: Brown
AYES: Brown, Holt, Brittenum, Jones, Lowery , McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford
Chumney abstained
Marshall did not cast a vote

APPROVED, for Items 55, 56 & 58 only, set up as Special Item #1

Approval of the Minutes of the regular meeting of December 6, 2005 with the following motion:

- MOTION: Holt – Item #37 regarding MLGW Pension had language added to reflect 13.27%
SECOND: Sammons
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford
Marshall did not cast a vote

APPROVED, as amended

31. **ORDINANCE TO ESTABLISH MEETING DATES FOR CITY COUNCIL MEETINGS IN 2006, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5140

- MOTION: Sammons
SECOND: McCormick
AYES: Brown, Holt, Brittenum, Jones, Lowery, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford
NAYS: Chumney
Marshall did not cast a vote

APPROVED

CONSENT AGENDA – Items 1-15 & 50, 53, 57 & 59 may be acted upon by one motion. SEE PAGE 1788 FOR ROLL CALL

1. **ORDINANCE AMENDING CHAPTER 2, CODE OF ORDINANCES, CITY OF MEMPHIS, SECTIONS 171 THROUGH 176, RELATING TO THE AGING COMMISSION OF THE MID-SOUTH CONCERNING THE AFFAIRS OF SENIOR CITIZENS IN THE CITY OF MEMPHIS AND THE COUNTIES OF FAYETTE, LAUDERDALE, SHELBY AND TIPTON, UP FOR F I R S T READING.**

Ordinance No. 5150

APPROVED, on First reading

2. **ORDINANCE REZONING THE SOUTHEAST CORNER OF YOUNG AVENUE & MEDA STREET, CONTAINING 4,329 SQUARE FEET IN THE LOCAL COMMERCIAL (C-L) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5143
Case No. Z 05-124

APPROVED, on Second reading

3. **ORDINANCE REZONING THE NORTHWEST AND SOUTHEAST CORNERS OF LOONEY AVENUE AND N. MAIN STREET; AND THE SOUTHWEST CORNER OF KEEL AVENUE AND N. MAIN STREET, CONTAINING 1.006 ACRES IN THE MIXED USE (MU) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5144
Case No. Z 05-132

APPROVED, on Second reading

4. **ORDINANCE REZONING THE NORTHWEST CORNER OF N. THIRD STREET AND KEEL AVENUE; EAST OF N. THIRD STREET; 74 FEET NORTH OF KEEL AVENUE, CONTAINING 0.81 ACRE IN THE MIXED USE (MU) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5145
Case No. Z 05-133

APPROVED, on Second reading

5. **ORDINANCE REZONING THE NORTHEAST CORNER OF N. SECOND STREET AND LOONEY AVENUE, CONTAINING 2.088 ACRES IN THE MIXED USE (MU) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5146
Case No. Z 05-134

APPROVED, on Second reading

6. **ORDINANCE REZONING THE WEST SIDE OF N. SIXTH STREET, 36 FEET NORTH OF AUCTION AVENUE, CONTAINING 0.336 ACRE IN THE MIXED USE (MU) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5147
Case No. Z 05-135

APPROVED, on Second reading

7. **ORDINANCE REZONING THE NORTHWEST CORNER OF N. SEVENTH STREET AND MILL AVENUE, CONTAINING 0.569 ACRE IN THE MIXED USE (MU) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5148
Case No. Z 04-141

APPROVED, on Second reading

8. **ORDINANCE TO ALLOW A HISTORIC CONSERVATION OVERLAY DISTRICT OVER THE PRESENT ZONING (SINGLE FAMILY RESIDENTIAL R-10) WITHIN THE VILLAGE HISTORIC DISTRICT AREA BOUNDED BY POPLAR, GOODLETT, CHERRY AND SOUTHERN RAILROAD, UP FOR S E C O N D READING.**

Ordinance No. 5149
Case No. Z 05-120

APPROVED, on Second reading

9. **RESOLUTION APPROVING FINAL PLAT OF RESUBDIVISION OF LOT 1 OF ADLER’S RESUBDIVISION OF LOT 4.**

Case No. S 05-046

Resolution approves the final plat located at the southeast corner of Waring Road and Normandy Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

10. **RESOLUTION APPROVING FINAL PLAT OF CONCORD ESTATES SUBDIVISION, SEC. C.**

Case No. S 99-062cc
Contract No. CR-4994

Resolution approves the final plat located on the south side of Shelby Drive, west of Gertrude Drive. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

APPROVED

11. **RESOLUTION APPROVING FINAL PLAT OF MASSEY COVE ESTATES SUBDIVISION, SECTION B.**

Case No. S 85-052

Resolution approves the final plat located on the northeast corner of Massey Estates Cove and Massey Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

12. **RESOLUTION ACCEPTING RIVERWOOD FARMS PHASE 3, PART OF AREA A, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 91-313cc
(Contract No. CR-4877)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northwest side of Macon Road, east of Riverwood Farms Drive.

The standard improvement contract was approved on July 6, 2004. Resolution also authorizes the release of the certificates of deposit in the total amount of \$47,900.00. This action is subject to County approval.

City Engineer recommends approval

APPROVED

13. **RESOLUTION APPROVING THE SUPPLEMENTAL AGREEMENT #1 TO SUMMIT DISTRIBUTION CENTER, BUILDINGS #2 AND #3 SEWER EXTENSION.**

Contract No. CR-4899AM

Resolution approves the Supplemental Agreement #1 located on the west side of Lamar Avenue (U.S. Highway 78), north of Holmes Road. Cost the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached Supplemental Agreement #1.

City Engineer recommends approval

APPROVED

14. **NOTATIONS FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. PD 05-366 – Pull-a-Part P.D.
- B. Case No. SUP 05-218
- C. Case No. SAC 04-620 – Butler Avenue Alley
- D. Case No. SAC 05-612 – Coward Avenue (Formerly St. Paul Street)

Public Hearing Set for January 3, 2006

15. **RESOLUTION RENAMING MCNEIL STREET IN HONOR OF DR. BELVIA CARTER.**

APPROVED

50. **RESOLUTION APPROVING FINAL PLAT OF UNIVERSITY PLACE HOPE VI SUBDIVISION.**

Case No. S 05-066

Resolution approves the final plat located on the southwest corner of Crump Blvd and Lamar Avenue. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

53. **RESOLUTION APPROVING FINAL PLAT OF SUMMIT SUBDIVISION.**
Case No. S 04-054

Resolution approves the final plat located at Tuggle Road and Highway 78, south of Shelby Drive. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

57. **ORDINANCE AMENDING THE UPTOWN MEMPHIS ZONING REGULATIONS, UP
FOR F I R S T READING.**
Ordinance No. 5152
Case No. ZTA 05-002

APPROVED, on First reading

59. **RESOLUTION HONORING THE LIFE OF DR. HENRY GRAYSON.**
APPROVED

ROLL CALL CONSENT ITEMS

MOTION: Sammons
SECOND: Holt
AYES: Brown, Chumney, Holt, Brittenum, Jones, McCormick, Mitchell, Peete,
 Sammons, Taylor and Chairman Ford
 Lowery and Marshall did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Items 18-28 may be acted upon by one motion

16. **RESOLUTION AWARDING CONTRACT NO.11042, FACILITIES LOCATION
SERVICES, TO HEATH CONSULTANTS, INC. IN AN ESTIMATED FUNDED
AMOUNT OF \$773,550.00.** (Held from 11/1; 11/15;12/6)

Back to Committee January 3, 2006

17. **RESOLUTION AWARDING CONTRACT NO.11062, UNDERGROUND
CONSTRUCTION, TO A & L UNDERGROUND, INC. IN AN ESTIMATED FUNDED
AMOUNT OF \$8,678,497.81.** (Held from 11/1; 11/15;12/6)

Back to Committee January 3, 2006

18. **RESOLUTION APPROVING CHANGE NO.8 TO CONTRACT NO.10690, DISTANCE
EDUCATION AND VIDEO CONFERENCING SYSTEM, WITH INTERACTIVE
SOLUTIONS, INC., IN THE FUNDED AMOUNT OF \$79,469.00. (THIS EXPANDS THE
MULTIPOINT CONTROL UNIT (MCU) AND PURCHASES FOUR YEARS OF
POLYCOM PREMIER SERVICE FOR THE SYSTEM.)**

APPROVED

19. **RESOLUTION APPROVING CHANGE NO.1 TO CONTRACT NO.10993, DIAL TONE
SERVICES, WITH US LEC OF TENNESSEE, INC., IN AN ESTIMATED FUNDED
AMOUNT OF \$43,200.00. (THIS COVERS THE COST OF DIRECTORY ASSISTANCE,
911 SERVICE FEES AND EXCISE TAXES.)**

APPROVED

20. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11026, EXTERNAL AUDIT SERVICES, WITH WATKINS UIBERALL, PLLC, IN THE FUNDED AMOUNT OF \$236,000.00. (THIS COVERS THE AUDIT FOR THE YEAR ENDING DECEMBER 31, 2005.)**

APPROVED

21. **RESOLUTION APPROVING RENEWAL OF COOPERATIVE AGREEMENT NO.5447, INVESTIGATION OF WATER RESOURCES, WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY, IN THE AMOUNT OF \$50,000.00, FOR THE PERIOD 10/1/05 TO 9/30/06.**

APPROVED

22. **RESOLUTION AWARDDING CONTRACT FOR ELECTRONIC VOLUME CORRECTORS TO REYNOLDS EQUIPMENT COMPANY IN THE AMOUNT OF \$112,500.00.**

APPROVED

23. **RESOLUTION AWARDDING CONTRACT FOR RADIO EQUIPMENT TO MOTOROLA C/O INTEGRATED COMMUNICATIONS IN THE AMOUNT OF \$44,516.70.**

APPROVED

24. **RESOLUTION AWARDDING CONTRACT FOR HYDRAULIC CRANE TO NES RENTALS IN THE AMOUNT OF \$89,825.00.**

APPROVED

25. **RESOLUTION AWARDDING CONTRACT FOR MULTI-POWER UNITS TO SCRUGGS EQUIPMENT, INC. IN THE AMOUNT OF \$77,887.76.**

APPROVED

26. **RESOLUTION AWARDDING CONTRACT FOR #4/0 AWG WIRE TO UTILICOR, INC. IN THE AMOUNT OF \$36,670.70.**

APPROVED

27. **RESOLUTION REQUESTING THE OPTION TO EXTEND CONTRACT FOR ELECTRIC METER PEDESTALS FOR AN ADDITIONAL 12-MONTH PERIOD WITH TENNESSEE VALLEY ELECTRIC SUPPLY COMPANY IN THE AMOUNT OF \$427,500.00.**

APPROVED

28. **RESOLUTION APPROVING EXPENDITURE ON CONTRACT NO. 11071, EMERGENCY AID AGREEMENT, WITH DAVIS H. ELLIOTT COMPANY, FOR EMERGENCY AID FOR THE AUGUST 30, 2005 STORM IN THE FUNDED AMOUNT OF \$336,430.77.**

APPROVED

ROLL CALL MLGW FISCAL CONSENT ITEMS

MOTION: Peete
SECOND: Jones
AYES: Brown, Chumney, Holt, Brittenum, Jones, Lowery, McCormick, Mitchell, Peete, Sammons, Taylor and Chairman Ford
Marshall did not cast a vote

APPROVED, with the exception of Items #16 and #17, which are going back to Committee on January 3, 2006

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

ADJOURNED MEETING AT 6:50 P.M.

.....

Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

C H A I R M A N

Attest:

Deputy Comptroller/Council Records